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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,776	11/20/2001	Sadanori Kumazawa	IPE-014	6317

20374 7590 12/10/2003

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EXAMINER

YOON, TAE H

ART UNIT

PAPER NUMBER

1714

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/988,776

Applicant(s)

KUMAZAWA ET AL.

Examiner

Tae H Yoon

Art Unit

1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 58-52344 in view of Gallucci et al (US 5,596,049) or Helmond (US 5,731,390).**

JP teaches a polyester composition containing a glycidyl ether compound and a glycidyl ester compound in claim 2. The instantly recited glycidyl compounds such as glycidyl benzoate or phenyl glycidyl ether are taught at the bottom half of the translated page 2.

The instant invention further recites the use of a catalyst, an impact modifier and fillers over JP. However, the use of the instant catalyst such as sodium stearate in order to improve hydrolytic stability of a polyester resin containing an epoxy compound is well known as taught by Helmond, abstract and table 1 wherein impact modifiers and glass fiber are also taught. Gallucci et al also teach employing the instant catalyst to improve hydrolytic stability and melt viscosity stability of a polyester resin containing an epoxy compound in abstract and at col. 1, lines 14-19 and col. 5, lines 50-62. The utilization of rubber impact modifier and fillers is taught at col. 6, lines 37-38 and col. 7, lines 18-40.

It would have been obvious to one skilled in the art at the time of invention to utilize the catalyst such as sodium stearate taught by Helmond or Gallucci et al in JP in

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order to improve hydrolytic stability and melt viscosity stability of a polyester resin containing an epoxy compound since such practice is well known in the art, and further to utilize an impact modifier or fillers taught by Helmond or Gallucci et al in JP thereof since the use of an impact modifier or fillers in polyester composition in order to improve physical properties such as impact strength or tensile strength is a routine practice in the art as taught by Helmond and Gallucci et al.

**Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 58-52344 in view of Gallucci et al (US 5,596,049) or Helmond (US 5,731,390), and further in view of Fujita et al (US 6,214,269).**

The instant invention further recites a connector over JP. However, said connector such as a band shaped article made of a polyester resin containing an epoxy compound is well known as taught by Fujita et al, abstract and col. 10, lines 30-35. Fujita et al also teach the use of the epoxy ring-opening catalyst such as carboxylates of alkaline earth metals at col. 5, line 44 to col. 6, line 26.

Thus, it would have been obvious to one skilled in the art at the time of invention to make a connector such as a band shaped article from the polyester composition of JP and Gallucci et al or Helmond thereof with teaching of Fujita et al since JP teaches molded articles and since a band shaped article made of a polyester resin containing an epoxy compound is well known as taught by Fujita et al.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tae H Yoon whose telephone number is (571) 272-1128. The examiner can normally be reached on Mon-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (703) 306-2777. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

  
Tae H Yoon  
Primary Examiner  
Art Unit 1714

THY/December 4, 2003